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APPLICATION NO.		ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
APPLICATION NO.		ILINO DATE	FIRST NAMED INVENTOR	ATTORIET BOOKET NO.	
10/688,174		10/16/2003	Donald C. Boyle	2835-73549	9518
23643	7590	06/18/2004		EXAMINER	
BARNES &	& THOR	NBURG	BARFIELD, ANTHONY DERRELL		
11 SOUTH MERIDIAN				ADTIVIT	DADED MUMBED
INDIANAP	INDIANAPOLIS, IN 46204			ART UNIT	PAPER NUMBER
				3636	
			DATE MAILED: 06/18/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

	Applicati n N .	Applicant(s)					
	10/688,174	BOYLE, DONALD C.					
Office Action Summary	Examiner	Art Unit					
<i>p</i> x	Anthony D Barfield	3636					
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address					
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).					
Status							
1) Responsive to communication(s) filed on		(
	– action is non-final.	\					
3) Since this application is in condition for allowar		secution as to the ments is					
closed in accordance with the practice under E	·						
Disposition of Claims							
4)⊠ Claim(s) <u>1-20</u> is/are pending in the application.							
4a) Of the above claim(s) is/are withdray							
5) Claim(s) is/are allowed.							
6)⊠ Claim(s) <u>1-20</u> is/are rejected.							
7) Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/or	r election requirement.	٠.					
Application Papers							
9) The specification is objected to by the Examine	r.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correct		, ,					
11) The oath or declaration is objected to by the Ex	- · · · · · · · · · · · · · · · · · · ·	· · ·					
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a))-(d) or (f).					
a) ☐ All b) ☐ Some * c) ☐ None of:	p 2. 2.2.2.3 (2,	(2) 3. (4).					
1.☐ Certified copies of the priority documents	s have been received.						
2. Certified copies of the priority documents		on No.					
3. Copies of the certified copies of the prior	• •	•					
application from the International Bureau	•	· ·					
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment(s)	_						
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date							
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)		ate atent Application (PTO-152)					
Paper No(s)/Mail Date	6) Other:	, , , , , , , , , , , , , , , , , , , ,					

Application/Control Number: 10/688,174

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DETAILED ACTION

Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 2. Claims 12-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The use of standards in claims 12-13, renders the claims indefinite, as the standard may change, thereby rendering the metes and bounds of the claimed invention unclear. Applicant may use the standard if followed by a year or date of validation/issuance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 4. Claims 1-18 and 20 as best understood are rejected under 35 U.S.C. 102(b) as being anticipated by Nagasaka et al. Nagasaka et al. shows a coupling apparatus for mounting an add-on passenger restraint system (10) to a vehicle seat (12) having an anchorage, the retractable coupling apparatus comprising a retractor (28,64) affixed to the add-on passenger restraint system, a coupling member (26), an extension member (24) having opposing ends wherein one end is attached to the retractor and the other end is attached to the coupling member, and wherein the coupling member is configured to engage the anchorage. Nagasaka et al. show that retractor

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is positive locking retractor comprises a release member (40,72) to unlock the retractor to allow the extension member to be drawn out of the retractor. The release member may comprise a button (72) or cable (82). Nagasaka et al. shows that the coupling may comprise a snap hook connector (94,98,96) which is configured to be threaded through a vehicle tether (18) redirection system. The apparatus inherently conforms to a governmental standard.

Claim Rejections - 35 USC § 103

- 5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasaka et al.

 The method steps as recited would have been incorporated within the use of the invention, as taught by Nagasaka et al.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Reference No. 6,017,087 and 6,209,957 show features of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony D Barfield whose telephone number is 703-308-2158. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryimary Examiner
Art Unit 3636

adb June 13, 2004